# IPC Section 181: False statement on oath or affirmation to public servant or person authorised to administer an oath or affirmation.

## IPC Section 181: False Statement on Oath or Affirmation  
  
Section 181 of the Indian Penal Code (IPC) deals with the offense of making a false statement on oath or affirmation to a public servant or a person authorized to administer such oath or affirmation. This provision aims to protect the integrity of legal proceedings, official inquiries, and other situations where truthful statements under oath are essential for the proper administration of justice and governance. The section penalizes individuals who intentionally provide false information under oath, recognizing that such falsehoods can undermine the foundations of truth-seeking processes and have serious repercussions.  
  
\*\*The Text of Section 181:\*\*  
  
"Whoever, being legally bound to state the truth on any subject to any public servant or other person authorized by law to administer an oath or affirmation to him, makes any statement which is false, and which he either knows or believes to be false, or does not believe to be true, touching that subject, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine."  
  
\*\*Key Elements of the Offense:\*\*  
  
1. \*\*Legal Obligation to State the Truth:\*\* The individual making the statement must be legally bound to tell the truth. This obligation typically arises when a person is required by law to take an oath or affirmation before giving evidence or providing information. Examples include witnesses in court proceedings, individuals providing affidavits for legal purposes, or applicants making sworn declarations in official applications. This obligation differentiates a casual lie from a legally culpable false statement under oath.  
  
2. \*\*Statement to a Public Servant or Authorized Person:\*\* The false statement must be made to a public servant, which encompasses a broad range of government officials, or to any person legally authorized to administer oaths or affirmations. This could include judicial officers, notaries public, or other designated officials. The authority of the recipient to administer the oath or affirmation is crucial to establishing the offense.  
  
3. \*\*False Statement:\*\* The core of the offense lies in the making of a false statement. This implies that the statement must be factually incorrect. The statement needs to be objectively verifiable as false. A mere opinion or belief, even if mistaken, does not necessarily constitute a false statement under this section unless it is presented as a fact.  
  
4. \*\*Knowledge or Belief of Falsity:\*\* The individual making the statement must either know that it is false or believe it to be false. This element speaks to the \*mens rea\* (guilty mind) required for the offense. The prosecution must demonstrate that the accused was aware of the falsity or held a genuine belief that the statement was untrue. Alternatively, the individual may not believe the statement to be true. This clause covers situations where the person makes a statement recklessly, without any real belief in its truthfulness.  
  
5. \*\*Touching the Subject:\*\* The false statement must pertain to the subject matter about which the individual is legally required to speak truthfully. This requirement establishes a nexus between the false statement and the matter under consideration. For instance, if a witness in a trial about a car accident provides false information about their address, it might not fall under Section 181 if the address is irrelevant to the facts of the accident. However, if they falsely testify about their role in the accident, it would be considered a relevant false statement.  
  
  
\*\*Punishment:\*\*  
  
Section 181 prescribes a punishment of imprisonment of either description (simple or rigorous) for a term which may extend to three years, and the offender is also liable to a fine. The severity of the sentence within this range is determined by the court based on the specific circumstances of the case, the nature of the false statement, and the potential impact of the falsehood.  
  
\*\*Distinction from Perjury (Section 191, IPC):\*\*  
  
While both Section 181 and Section 191 (Perjury) of the IPC deal with false statements under oath, they are distinct offenses. Section 181 applies to false statements made to any public servant or authorized person, covering a broader range of situations. Section 191 specifically deals with false evidence given in a judicial proceeding. Thus, all instances of perjury would also be covered under Section 181, but not all false statements under Section 181 would constitute perjury.  
  
\*\*Importance of Section 181:\*\*  
  
Section 181 plays a vital role in maintaining the sanctity of oaths and affirmations, which are essential instruments for ensuring the reliability of information provided in legal, administrative, and other official contexts. By penalizing false statements made under oath, this provision deters individuals from lying and promotes the pursuit of truth in matters of public importance. It safeguards the integrity of legal proceedings, official inquiries, and the administration of justice by ensuring that individuals are held accountable for deliberately providing false information under the solemn undertaking of an oath or affirmation. It ultimately contributes to a system where trust in official processes and the credibility of sworn testimony are preserved.